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DEC 14 2004

Application No. : 09/676,545 Confirmation No. : 2722
Applicant : Katz, et al.
Filed : September 29, 2000
TC/A.U. : 2611
Examiner : Bui, Kieu Oanh T.
Docket No. : 6169-140
IBM Docket No. : BOC9-1999-0082

TRANSMITTAL LETTER

Via Facsimile Transmission (2 pages)
Fax No. 703-872-9306

MAILSTOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

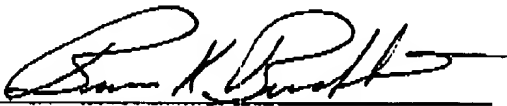
Please find enclosed for filing:

1. Request for Continued Examination (RCE) Transmittal;
2. Retroactive Petition for Extension of Time (One Month); and
3. Please charge the required fees and any deficiencies or credit any overpayment to Deposit Account No. 50-0951.

This Transmittal Letter is submitted in duplicate.

Respectfully submitted,

Date: 14 Dec 2004

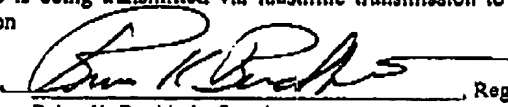

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AKERMAN SENTERFITT
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

(WP210663;1)

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile transmission to MAILSTOP RCE, Commissioner for Patents at 703-872-9306 on

14 Dec 2004
Date


Brian K. Buchheit, Esquire

Reg. No. 52,667

John Miller Supervisory Examiner
8703-305-4795

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FAX COVER SHEET

From: Brian K. Buchheit, Esquire

Date: November 30, 2004

PLEASE DELIVER 36 PAGE(S) (including cover sheet) TO:**6169-140**

Name: Examiner Krista Kieu-Oanh Bui

Company: USPTO - Group Art 2611

Fax Number: ~~703-305-0095~~ *872-9306*

Phone Number: 703-305-0095

Please call if you do not receive all the pages.

Comments/Special Instructions

RE: Applicant : Katz, et al.
Serial No. : 09/676,545
Date Filed : September 29, 2000
Examiner : Bui, Krista Kieu-Oanh Bui
Group : 2611
Confirmation No. : 2722

Pursuant to your telephone conversation with my assistant, Elaine Allison, numerous attempts were made to contact the Electronic Business Center to determine the status of their scanning in the attached Response with Declarations under 37 C.F.R. § 1.131 into the system which were filed via U.S.P.S. Express Mail No. EV 291959529 US on September 20, 2004. The Declarations were submitted under seal in confidence in order that the confidential information not be scanned into the public file.

However, the EBC has been relocating their offices since November 16, 2004 and not taking telephone calls. After calling again today, the message from the EBC still states that they are in the process of moving. Due to the nature of this response and the corresponding Final Office Action, it would be most appreciated if you would review this facsimile transmission which includes a copy of the Return Receipt Postcard date stamped by OIPE on September 20, 2004, together with a copy of the U.S. P.S. Express Mailing Label as proof of our response having been sent by the two-month date after the issuance of the Final Office Action.

If you have any questions, please contact Mr. Buchheit at 954-759-8937 upon review of the attached.

The information contained in this transmission may be a confidential attorney-client communication or may otherwise be privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this transmittal is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original transmittal to us by mail. Thank you.

Client/Matter No: 109666

Equitrac ID: _____

{WP207322;1}

Serial No.: 09/676,545 Docket No.: 6169-140
Client: SPM

Commissioner for Patents

Sir:

Please acknowledge receipt of the paper(s) noted hereon by stamping the date received and returning this card to the undersigned.

Respectfully,



AKERMAN SENTERFITT

- ☐ Application
- ☐ Submission of Formal Drawings
- ☐ Sheets of Drawing
- ☒ Declaration/ Under 1.131
- ☐ Fee (\$ _____)
- ☒ Amendment/Response
- ☐ Request for Extension of Time
- ☐ Assignment & Recordation Coversheet
- ☐ Copy of Notice of Missing Parts
- ☒ Transmittal Letter
- ☐ PTOL-85 Fee Transmittal
- ☐ IDS, PTO/SB008A&B, Refs.
- ☒ Conf. Disc. Under Seal
- ☐ _____

Express Mail No. EX6391959529 US



EV 291959529 US



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Date In Mo. Day Year 12 20 04	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$	Delivery Attempt Time
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Delivery Date Time
Weight lbs. ozs. 7.8	Int'l Alpha Country Code	COD Fee Insurance Fee	Mo. Day <input type="checkbox"/> AM <input type="checkbox"/> PM
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials JCE	Total Postage & Fees \$ 13.00	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday
CUSTOMER USE ONLY METHOD OF PAYMENT Express Mail Co. postal Acct. No.		Federal Agency Acct. No. or Postal Service Acct. No. FROM: (PLEASE PRINT) PHONE () AKERMAN, SENTERFITT & EIDSON, P.A. 222 LAKEVIEW AVE STE 400 PALM BEACH FL 33402-3147 6169-140 BKB/aa -109666-	
		TO: (PLEASE PRINT) PHONE () MAILSTOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
PRESS HERE TO View the Mail Bag		FOR PICKUP OR TRACKING CALL 1 800 222 1811 www.usps.com	